

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

Sentencing Minute Sheet for the Honorable Dean Whipple

UNITED STATES OF AMERICA
vs.
JAMES ROBERT EVERSON, JR.

Case No: 09-00156-01-CR-W-DW
Date: 2/10/2011

Plaintiff Counsel
Bruce Rhoades, AUSA

Defendant Counsel
Chris Angles, Retained

Time Commenced: 9:15 a.m.

Time Terminated: 9:34 a.m.

X There are NO objections to the P.S.I. OR the Guideline Range.

Total Offense Level: 39 Criminal History Category: I
Imprisonment Range: 262 to 327 months plus 7 years consecutive on Count 8.
Supervised Release Range: Counts 2, 7, 9: 2 to 3 years; Counts 6, 8: 3 to 5 yrs; Count 1: 5 yrs
Special Assessment: \$100.00 Restitution: Not Applicable
Fine Range: \$25,000 to \$4,000,000

The Defendant is sentenced to Count(s) 1, 2, 6, 7, 8 & 9.

X Court grants government's oral Motion for Downward Departure.

INCARCERATION:

X The Court hereby orders the defendant to serve the following term of incarceration with the FBP: 131 months on Counts 1, 2, 6, 7, and 9 (concurrent w/each other); 84 Months on Count 8 (consecutive to Counts 1, 2, 6, 7, & 9).
X Defendant is hereby remanded to the custody of U.S. Marshal.

SUPERVISED RELEASE:

X The Court hereby orders the defendant to the following term of Supervised Release: 5 years on Counts 1, 6, & 8; 3 years on Counts 2, 7, & 9 (concurrent w/each other) for a total term of 5 years.

SPECIAL CONDITIONS OF SUPERVISED RELEASE OR PROBATION: See J & C.

FINE: Fine waived.

RESTITUTION: Not applicable.

SPECIAL ASSESSMENT: \$600.00- \$100.00 each count, due immediately.

RECOMMENDATIONS: The Court recommends that the defendant be considered for placement in a facility for participation in the 500-hour residential substance abuse treatment program and as close to the Kansas City, Missouri area as possible.

X Government's Preliminary Order of Forfeiture (doc #191) is finalized and approved.
X Upon Motion of the U.S. Govt. The following Counts are dismissed: 3, 4, & 5.
X The Court advises the Defendant he has 14 days to appeal.

Court Reporter: Denna Lamken

CRD: J. Baldwin